

PRODUCT: 22 60-pound boxes of butter at Cleveland, Ohio.

LABEL, IN PART: "Butter Sold by Stonehill Cr'y Cleveland, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: March 13, 1945. The Stonehill Creamery Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration.

8872. Adulteration of butter. U. S. v. 70 Cubes (4,620 pounds) of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 7999. Sample No. 10482-F.)

LABEL FILED: July 9, 1942, Northern District of California.

ALLEGED SHIPMENT: On or about June 24, 1942, by the National Butter Co., from Minnesota Transfer, Minn.

PRODUCT: 70 66-pound cubes of butter at San Francisco, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: August 4, 1942. The Wilsey Bennett Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

CHEESE *

8873. Adulteration of Cheddar cheese. U. S. v. 142 Cheeses. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15734. Sample No. 735-H.)

LABEL FILED: March 24, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about June 22, 1944, from Columbus, Miss.

PRODUCT: 142 cheeses, each weighing about 70 pounds, at Atlanta, Ga., in the possession of the Atlantic Co. This product had been stored under insanitary conditions after shipment. The cheeses had been gnawed by rodents, and rodent pellets and several rodent nests were observed on them. One of the nests contained seven live rodents.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 20, 1945. The Atlantic Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit portion be separated from the unfit, and that the unfit portion be disposed of as animal feed or industrial fats, under the supervision of the Food and Drug Administration.

8874. Adulteration of Cheddar cheese. U. S. v. 56 Cheddar Cheeses and 1 Daisy of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15736. Sample Nos. 542-H to 545-H, incl., 736-H to 738-H, incl.)

LABEL FILED: March 24, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: Between the approximate dates of September 23, 1943, and August 16, 1944, from Walnut, Olive Branch, Columbus, and Corinth, Miss.; Scottsboro, Ala.; and Nashville and Columbia, Tenn.

PRODUCT: 56 Cheddar cheeses, weighing about 70 pounds each, and 1 daisy of Cheddar cheese, weighing about 21½ pounds, at Atlanta, Ga., in the possession of the Atlantic Co. Cold Storage. The product was stored under insanitary conditions after shipment. All lots were gnawed by rodents, and rodent excreta was found on the surface of the cheeses and in the holes gnawed by the rodents. Rodent nests containing dead rats were found in portions of the product.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been stored under insanitary conditions whereby it may have become contaminated with filth.

*See also No. 8859.

DISPOSITION: April 20, 1945. The Atlantic Co., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation and disposal of the unfit portion for use as animal feed or industrial fats, under the supervision of the Food and Drug Administration.

8875. Adulteration and misbranding of Cheddar cheese. U. S. v. 12 Cheddar Cheeses. Default decree of forfeiture. Product ordered disposed of by the United States marshal. (F. D. C. No. 15698. Sample No. 18952-H.)

LIBEL FILED: March 28, 1945, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about January 30, 1945, by the Belle Center Creamery and Cheese Co., from Belle Center, Ohio.

PRODUCT: 12 Cheddar cheeses at Thorp, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing excessive moisture and deficient in milk fat had been substituted in whole or in part for Cheddar cheese, which it was represented to be.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for Cheddar cheese, which provides that Cheddar cheese shall contain not more than 39 percent of moisture, and that its solids shall contain not less than 50 percent of milk fat. The product contained more than 39 percent of moisture and its solids contained less than 50 percent of milk fat.

DISPOSITION: May 2, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed or disposed of at the discretion of the United States marshal. The cheese was sold for use in public institutions.

8876. Adulteration and misbranding of Cheddar cheese. U. S. v. 533 Boxes of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15697. Sample No. 22826-H.)

LIBEL FILED: March 26, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 8, 1945, by the Dairy Products Marketing Association, from Blackwell, Okla.

PRODUCT: 533 boxes, each containing 77 pounds, of Cheddar cheese at St. Louis, Mo. Analysis showed that the article failed to meet the standard of identity for Cheddar cheese in that its solids contained less than 50 percent of milk fat.

LABEL, IN PART: "Oklahoma White Cheddar Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an article deficient in milk fat had been substituted in whole or in part for Cheddar cheese, which it was represented to be.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as Cheddar cheese, a food for which a definition and standard of identity has been prescribed by regulation, but it failed to conform to such definition and standard.

DISPOSITION: On or about June 1, 1945, Wilson & Co., Inc., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for manufacture into processed cheese in conformity with the law, under the supervision of the Food and Drug Administration.

8877. Adulteration and misbranding of Cheddar cheese. U. S. v. 34 Boxes of Cheddar Cheese. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15681. Sample Nos. 18856-H, 18857-H, 18876-H, 18877-H.)

LIBEL FILED: March 28, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about January 25 and February 1, 1945, by the Wuethrich Brothers, from Doylestown, Wis.

PRODUCT: 24 boxes and 10 boxes of Cheddar cheese, each box containing 4 cheeses, at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing excessive moisture had been substituted in whole or in part for Cheddar cheese, which it was represented to be.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for Cheddar cheese since it contained more than 39 percent of moisture, the maximum permitted by the regulations.